

EXHIBIT “1”

HANCOCK COUNTY, OHIO
FILED

2021 JUN -4 PM 4:14

CATHY PROSSER WILCOX
CLERK OF COURTS

IN THE COMMON PLEAS COURT OF HANCOCK COUNTY, OHIO
CIVIL DIVISION

Lorie M. Montague
2920 County Road 139
Van Buren, Ohio 45889

and

Brett A. Montague
2920 County Road 139
Van Buren, Ohio 45889

Plaintiffs,

v.

Paradigm Trucking, Ltd
96 Wellington Street North
Drayton, Ontario NOG1P0

and

Wayne H. Howe
43 George Street
Harriston, Onatrio NOG1Z0

Defendants.

Case No. 21 CV 156

Routson

COMPLAINT

Judge

Now come Plaintiffs, Lorie M. Montague and Brett A. Montague, by and through their counsel, filing this Complaint for personal injuries sustained. Plaintiff states as follows:



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GENERAL ALLEGATIONS

1. Plaintiff Lorie M. Montague resides at 2920 County Road 139, Van Buren, OH 45889.
2. Plaintiff Brett A. Montague resides at 2920 County Road 139, Van Buren, OH 45889.
3. Defendant Paradigm Trucking, LTD has its primary place of business at 96 Wellington Street North, Drayton, Ontario NOG1P0.
4. Defendant Wayne H. Howe resides at 43 George Street, Harriston, Onatrio NOG1Z0.
5. At all times relevant hereto, the Plaintiffs were married and residents of Ohio. The Defendants Paradigm and Howe are residents of Canada.
6. On or about October 20, 2020, Plaintiff Lorie M. Montague was traveling east on State Route 613 in a 2021 Jeep Wrangler Rubicon owned by her husband, Plaintiff Brett A. Montague in Hancock County, Ohio, USA.
7. On or about October 20, 2020 Plaintiff Lorie M. Montague approached the Interstate 75 overpass on State Route 163 near the entrance the Pilot Travel Center.
8. On or about October 20, 2020, Defendant Howe approached the intersection of State Route 163 and Township Road 14 and attempted to turn into the entrance of the Pilot Travel Center.
9. In his attempt to turn into the travel center, Defendant Howe turned in front of Plaintiff Lorie M. Montague while she was traveling east with the right of way past the Pilot Center and caused her vehicle to strike the side of the semi-truck he was operating.
10. As a direct and proximate result of the negligent acts of Defendant, Wayne Howe, Plaintiff Lorie M. Montague has suffered serious personal injuries that have caused her to undergo extensive medical treatment and incur numerous medical expenses.

11. At all times pertinent hereto, Defendant Wayne was working as a truck driver for Defendant Paradigm Trucking.

CLAIM I: NEGLIGENCE

12. Plaintiffs readopt all the allegations contained in Paragraphs 1 through 11 as if fully rewritten herein.
13. On or about October 20, 2021, Plaintiff Lorie M. Montague was driving a 2021 Jeep Wrangler Rubicon owned by her husband Plaintiff Brett A. Montague, traveling east on State Route 613 when she was negligently struck by the truck driven by Defendant Howe.
14. Defendant Howe was attempting to turn to left into the Pilot Travel Center when he negligently turned in front of Plaintiff, who had the right of way.
15. On October 20, 2020, Defendant Howe negligently operated his vehicle on behalf of Defendant Paradigm Trucking when he turned in front of Plaintiff Lorie M. Montague as she had the right of way and caused her to strike the side of his truck.
16. Defendant Howe had a duty to drive with care as to ensure the safety of other motorists on the road both personally, and on behalf of his employer Defendant Paradigm Trucking.
17. Defendant Paradigm Trucking had a duty to ensure its driver was acting with due care to ensure the safety of other motorists on the road.
18. As a direct and proximate result of Defendants' wanton and reckless disregard for safety and negligence, Plaintiff Lorie M. Montague suffered severe injuries and incurred numerous medical expenses for their necessary treatment.
19. As a direct and proximate result of Defendants' negligence, Plaintiff Lorie M. Montague was taken by ambulance to Blanchard Valley Hospital to be treated for the injuries she sustained from the accident.

20. As a direct and proximate result of Defendants' negligence, Plaintiff Lorie M. Montague suffered a chest wall contusion.

21. As a direct and proximate result of Defendants' negligence, Plaintiff Lorie M. Montague suffered a contusion of the front wall of the thorax.

22. As a direct and proximate result of Defendants' negligence, Plaintiff Lorie M. Montague suffered injury to her wrist and back.

23. As a direct and proximate result of Defendants' negligence, Plaintiff Lorie M. Montague has continued to suffer pain in her wrist and back.

24. As a direct and proximate result of Defendants' negligence, Plaintiff Lorie M. Montague has incurred \$3,564.45 in medical expenses and will continue to incur medical expenses in the future.

25. As a direct and proximate result of Defendants' negligence, Plaintiff Lorie M. Montague has endured pain and suffering and will continue to endure pain and suffering in the future.

CLAIM II: LOSS OF CONSORTIUM

26. Plaintiffs readopt all the allegations contained in Paragraphs 1 through 25, as if fully rewritten herein.

27. As a direct and proximate cause of Defendants' negligence, Plaintiff Brett A. Montague suffered a loss of consortium and services in his relationship with his wife Lorie M. Montague as a result of her injuries from the accident.

CLAIM III: PROPERTY DAMAGE

28. Plaintiff readopts all of the allegations contained in Paragraphs 1 through 27 as if fully rewritten herein.

29. As a direct and proximate result of Defendants' negligence, Plaintiff Brett A. Montague has sustained substantial financial injury as a result of the damage and loss of value caused to his vehicle.

WHEREFORE, Plaintiff Lorie M. Montague on Claim I demands judgment against Defendants Wayne Howe and Paradigm Trucking, in an amount in excess of \$25,000.00 and for the costs herein expended; and for any other relief as deemed just and necessary.

WHEREFORE, Plaintiff Brett A. Montague on Claim II demands judgment against Defendants Wayne Howe and Paradigm Trucking, in an amount in excess of \$25,000.00 and for the costs herein expended; and for any other relief as deemed just and necessary.

WHEREFORE, Plaintiff Brett A. Montague on Claim III demands judgment in excess of \$25,000.00 and for the costs expended herein.

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JURY DEMAND

Plaintiffs hereby demand a trial by jury of the issues herein.

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Attorneys for Plaintiffs